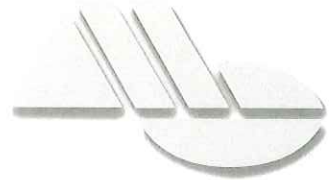


2701 MILES RD SE
ALBUQUERQUE, NM 87106
TEL: 505.242.5700
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MOLZEN-CORBIN
& Associates

ENGINEERS/ARCHITECTS/PLANNERS

July 16, 2008

Mr. Walter (Sandy) Edens
Project Manager
New Mexico Environment Department
5500 San Antonio Drive, NE
Albuquerque, New Mexico 87109

**RE: Ruidoso – Ruidoso Downs Regional WWTP Joint Use Board (JUB)
Phase 1A – Sludge Handling and Ultraviolet Disinfection Facilities
Bid Contract Documents**

RUI062-11

Dear Mr. Edens:

We appreciate your prompt review comments on the Phase 1A Project. The New Mexico Environment Department review comments are noted on the enclosed letter dated June 20, 2008. This is to confirm that the Engineer has addressed and included the four comment items in the Contract Documents.

With this letter, we are submitting one set of the Contract Documents as advertised for bid. Based on agency approval noted in your letter and after receiving approval to advertise from the Village of Ruidoso and the City of Ruidoso Downs, the project was advertised for bid on July 11, 2008 with the following information:

- Non-Mandatory Pre-Bid Conference: July 22, 2008
Location: City of Ruidoso Downs Council Chambers (10:00 a.m.)
- Bid Opening: August 13, 2008
Location: Village of Ruidoso Council Chambers (2:00 p.m.)

We look forward to your support during the bid and award phase and will notify NMED of any addendums as noted in your letter.

Please call me should you have any questions regarding this communication.

Sincerely,

MOLZEN-CORBIN & ASSOCIATES

Angel Campos

ACC:jgo

cc: Honorable Lonnie Nunley, Mayor, Village of Ruidoso
Honorable Tom Armstrong, Mayor, City of Ruidoso Downs
Mr. Dan Higgins, Village Manager, Village of Ruidoso
Mr. Bill Morris, Deputy Village Manager, Village of Ruidoso
Mr. John Underwood, Attorney
Mr. Ned Kendrick, Attorney, Montgomery & Andrews, P.A.
Mr. Dan Bryant, City Attorney, City of Ruidoso Downs
Ms. Carol Virden, City Clerk-Treasurer, City of Ruidoso Downs
Mr. Cletus Richards, Public Works Director, City of Ruidoso Downs



BILL RICHARDSON
Governor
DIANE DENISH
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT
Construction Programs Bureau

Albuquerque Office
5500 San Antonio Dr., NE Albuquerque, NM 87109
Phone (505) 222-9500 • Fax (505) 222-9510
www.nmenv.state.nm.us/cpb/cpbtop.html
Richard Rose, Bureau Chief



RON CURRY
Secretary
JON GOLDSTEIN
Deputy Secretary

June 20, 2008

Mr. Dan Higgins
Village Manager, Village of Ruidoso
313 Cree Meadows Drive
Ruidoso, NM 88345

RE: Plan and Specification Review
Sludge Handling and Ultraviolet Disinfection Facilities-Phase 1A

Dear Dan,

The New Mexico Environment Department/Construction Programs Bureau (CPB) has received and reviewed the plans and specifications for the referenced project in Ruidoso/Ruidoso Downs. CPB has the following comments:

1. Final plans and specifications must be sealed by the engineer of record, registered in the State of New Mexico.
2. Line Item 14 of the bid (Pre-Authorized Construction Changes of \$100,000) is not allowable and must be removed.
3. Line Item 11 of the bid is acceptable however either a separate line item for "demob" or a specification section describing how the bid item will be paid should be added.
4. The "notice of extended payment" clause should be pulled out of the title block and increased in font size. The statute says "(2) The following legend or substantially similar language setting forth the specified number of days appears in **clear and conspicuous** type on each page of the plans, including bid plans and construction plans: "Notice of Extended Payment Provision This contract allows the owner to make payment within 45 days after submission of an undisputed request for payment.".

Assuming correction of the above items, the plans and specs are APPROVED and you are released to advertise for bids.

If any addendums are issued prior to bid opening please provide a copy to CPB for review and approval. After the bid opening please provide a copy of the bid tabs and low bidders bid package for concurrence prior to issuing the Notice of Award. CPB looks forward to attending

the preconstruction meeting and helping complete this project in a cost effective and timely manner.

Please note that review is for bidability, constructability, and completeness only, the feasibility and cost effectiveness of the project have not been evaluated. Specific design related issues are the responsibility of the engineer of record and have not been reviewed or checked. Approval does not relieve the owner or engineer of legal responsibilities for the overall integrity of the project, adequacy of the design, or compliance with all applicable regulations. The NMED is not responsible for increased costs resulting from defects in the plans, design drawings, specifications, or other contract documents.

This letter is valid for no more than one year from the date of issue. Continued compliance with State and Federal regulations will require that the facility be properly constructed, operated and maintained.

If you have questions please contact me at (505)222-9512 or via email at sandy.edens@state.nm.us.

Sincerely,

/s/

Walter A. Edens, Jr., P.E.
NMED/CPB Project Manager

cc: Angel Campos, Molzen-Corbin & Associates
Project File
Read File